

**Leonard D. DuBoff, NYB#LD4105**

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Attorney for Defendants

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**E. MISHAN & SONS, INC.,**

Plaintiff,

v.

**KRISTINA M. HEICK and ROBERT R.  
HEICK II, d/b/a HEICK ENTERPRISES,**

Defendants.

**Civil No. 08 CV 5343 (BSJ)  
ECF Case**

**MEMORANDUM IN SUPPORT OF  
MOTION FOR EXTENSION OF TIME  
TO FILE RESPONSIVE PLEADING**

Defendants, Kristina M. Heick and Robert R. Heick ("Heicks"), submit the following Memorandum in Support of their Unopposed Motion for Extension of Time to File a Responsive Pleading:

The complaint in this case was served on Robert Heick on July 31, 2008. Affirmation of Leonard D. DuBoff in Support of Motion for Extension ("DuBoff Affn."), at ¶ 3. Pursuant to Fed. R. Civ. P. 12(a)(1)(A), a responsive pleading would be due on August 20, 2008. *Id.* ¶ 4. Plaintiff has consented to an extension of that deadline to September 19, 2008. *Id.* ¶ 5. There have been no previous requests for extensions in this matter, and there are no scheduled dates that this extension could interfere with. *Id.* at ¶ 6.

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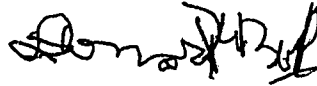
**1 – MEMORANDUM IN SUPPORT OF MOTION FOR  
EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

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For the reasons stated above, Defendants respectfully request that the court grant their motion for extension of time for filing a responsive pleading to September 19, 2008.

DATED: August 19, 2008

**THE DUBOFF LAW GROUP, LLC**



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Attorney for Defendants Kristina Heick  
and Robert Heick II, d/b/a Heick Enterprises